

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

CONTINUED FROM THE MARCH 29, 2004 REGULAR MEETING

SUBJECT: REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FT TO 17 FT FOR A PROPOSED SCREEN ROOM ADDITION; (ESTHERLINGMORALES, APPLICANT).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Earnest McDonald **CONTACT:** Earnest McDonald **EXT.** 7430

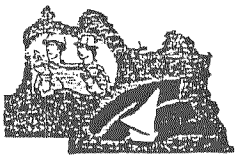
Agenda Date 04-26-04 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FT TO 17 FT FOR A PROPOSED SCREEN ROOM ADDITION; (ESTHERLINGMORALES, APPLICANT); OR
2. **DENY** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FT TO 17 FT FOR A PROPOSED SCREEN ROOM ADDITION; (ESTHERLING MORALES, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	ESTERLING MORALES, APPLICANT 5712 ALOMA WOODS BOULEVARD OVIEDO, FL 32765	R-1AA (SINGLE-FAMILY DWELLING DISTRICT)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO BUILD A 360 SF (12 FT X 30 FT) SCREEN ROOM ADDITION AND ENCROACH 13 FT INTO THE 30 FT MINIMUM REAR YARD SETBACK. • A REAR YARD VARIANCE FROM 30 FT TO 17 FT IS REQUESTED. • THERE IS NO RECORD OF VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY. 	
STAFF FINDINGS	<ul style="list-style-type: none"> • THE R-1AA DISTRICT ESTABLISHES A MINIMUM REAR YARD SETBACK OF 30 FT. THE EXISTING HOME HAS AN ASYMMETRICAL CONFIGURATION, WHERE THE GARAGE PROJECTS BEYOND THE LIVABLE AREA OF THE HOUSE. THIS HAS RESULTED IN THE REDUCTION OF BUILDABLE AREA IN THE REAR YARD AND THE RELEGATION OF THE SAME TO THE FRONT YARD. THIS IS A CIRCUMSTANCE COMMONLY ASSOCIATED WITH ASYMMETRICALLY CONFIGURED HOMES, AND THE APPLICANT WOULD 	

	<p>RETAIN REASONABLE USE OF THE PROPERTY SINCE THE OPPORTUNITY EXISTS TO BUILD AN ADDITION TO THE FRONT OF THE HOME WITHOUT A VARIANCE.</p> <ul style="list-style-type: none">• FOR THESE REASONS, STAFF BELIEVES THE GRANT OF THE REQUESTED VARIANCE WOULD CONFER SPECIAL PRIVILEGES DENIED TO OTHER PROPERTIES IN THE R-1AA DISTRICT BY ALLOWING ENCROACHMENT INTO THE REAR YARD WITHOUT THE DEMONSTRATION OF A HARDSHIP.• THE REQUESTED VARIANCE WOULD NOT BE THE MINIMUM THAT WOULD MAKE POSSIBLE THE REASONABLE USE OF THE PROPERTY. REASONABLE USE OF THE PROPERTY WOULD BE RETAINED WITHOUT THE GRANT OF THE REQUESTED VARIANCE AS PREVIOUSLY STATED.• THE REQUESTED VARIANCE WOULD NOT BE COMPLIANT WITH THE LAND DEVELOPMENT CODE AND WOULD POTENTIALLY ALLOW A SCREEN ROOM ADDITION THAT IS INCONSISTENT WITH THE TREND OF NEIGHBORHOOD DEVELOPMENT.
STAFF RECOMMENDATION	<ul style="list-style-type: none">• BASED ON THE STATED FINDINGS, STAFF RECOMMENDS DENIAL OF THE REQUESTED VARIANCE, UNLESS THE APPLICANT CAN DEMONSTRATE A HARDSHIP. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE FOLLOWING CONDITIONS OF APPROVAL:<ul style="list-style-type: none">○ ANY VARIANCE GRANTED SHALL APPLY ONLY TO THE PROPOSED SCREEN ROOM ADDITION, AS DEPICTED ON THE ATTACHED SITE PLAN; AND○ ANY ADDITIONAL CONDITION(S) DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.



COPY

PPL.NO. BV 2004-023

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division.

APPLICATION TYPE:

- ☒ **VARIANCE** Change of Rearward setback
variance from 30 feet to 17 feet
- ☐ **SPECIAL EXCEPTION**
- ☐ **MOBILE HOME SPECIAL EXCEPTION**
- ☐ EXISTING ☐ PROPOSED ☐ REPLACEMENT
MOBILE HOME IS FOR _____
YEAR OF MOBILE HOME _____ SIZE OF MOBILE HOME _____
ANTICIPATED TIME MOBILE HOME IS NEEDED _____
PLAN TO BUILD ☐ YES ☐ NO IF SO, WHEN _____
MEDICAL HARDSHIP ☐ YES (LETTER FROM DOCTOR REQUIRED) ☐ NO
- ☐ **APPEAL FROM DECISION OF THE PLANNING MANAGER**

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	<u>Estherling Morales</u>	<u>Danielle Guiranes</u>
ADDRESS	<u>5712 Aloma Woods Blvd</u> <u>Driedo FL 32765</u>	<u>3005 Forsyth Rd</u> <u>WJP FL 32792</u>
PHONE 1	<u>971-0085</u>	<u>407-6078-0500</u>
PHONE 2	<u>-</u>	<u>407-402-1488</u>
E-MAIL	<u>-</u>	<u>-</u>

PROJECT NAME: Morales

SITE ADDRESS: 5712 Aloma Woods Blvd

CURRENT USE OF PROPERTY: SFR

LEGAL DESCRIPTION: Lot 48 Estate at Aloma
Woods Ph I PB 48 PGS 41 to 43

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 32-21-31-505-0000-0480

☒ UTILITIES: ☒ WATER ☐ WELL ☒ SEWER ☐ SEPTIC TANK ☐ OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS _____

N/A

☒ IS PROPERTY ACCESSIBLE FOR INSPECTION ☒ YES ☐ NO

This request will be considered at the Board of Adjustment regular meeting on April 26
(mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole
County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within
this application are true and correct to the best of my knowledge.

☒ [Signature]
SIGNATURE OF OWNER OR AGENT* DATE 2-9-04

* Proof of owner's authorization is required with submittal if signed by agent.

ADDITIONAL VARIANCES

VARIANCE 2:

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

VARIANCE 8:

APPEAL FROM BOA DECISION TO BCC

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME		
ADDRESS		
PHONE 1		
PHONE 2		
E-MAIL		

NATURE OF THE APPEAL

BCC PUBLIC HEARING DATE

FOR OFFICE USE ONLY

PROCESSING:

FEE: \$150 COMMISSION DISTRICT 1 FLU/ZONING LDR/RIAA

LOCATION FURTHER DESCRIBED AS ON THE EAST SIDE OF ALOMA WOODS BLVD.

APPROX AT THE INTERSECTION WITH BAYHEAD RUN

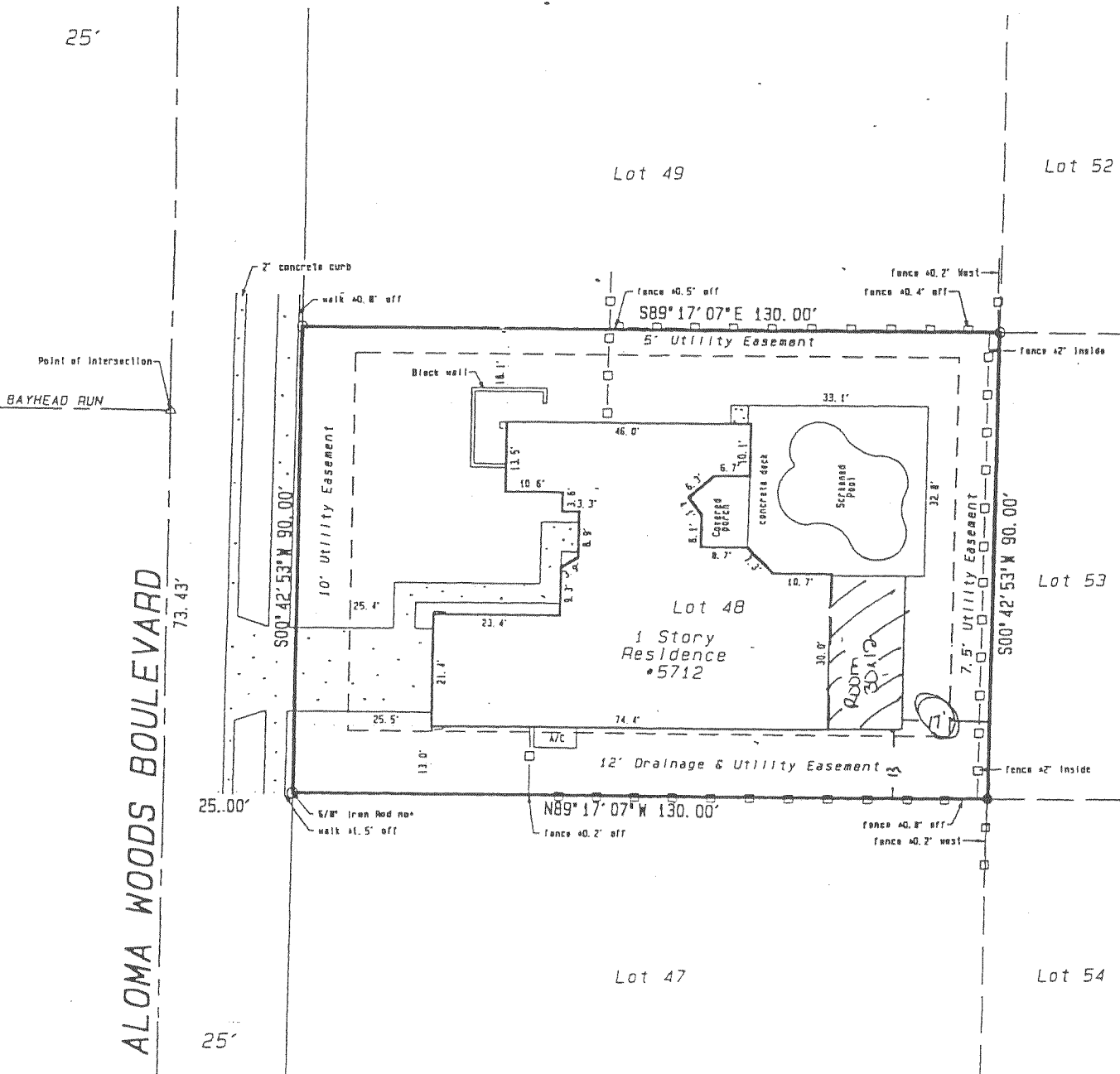
PLANNER VB

DATE FEB 12 '04

SUFFICIENCY COMMENTS

Boundary Survey for *Luis A. Lopez & Estherling Morales*


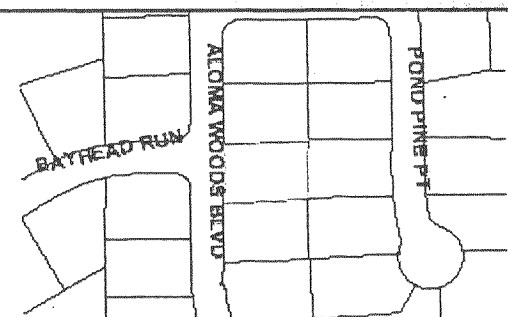
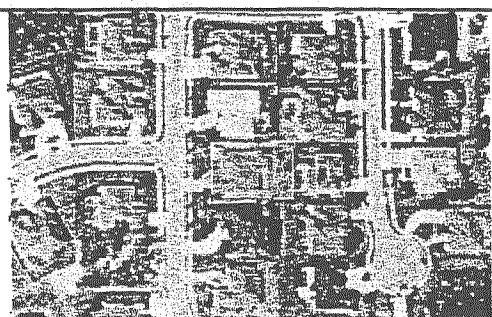
Lot 48,
ESTATES AT ALOMA WOODS PHASE I
Plat Book 48, Pages 41-43,
Seminole County, Florida



- Legend
- = Recovered 4"x4" Concrete Monument
 - = Set 4"x4" Concrete Monument #LB6300

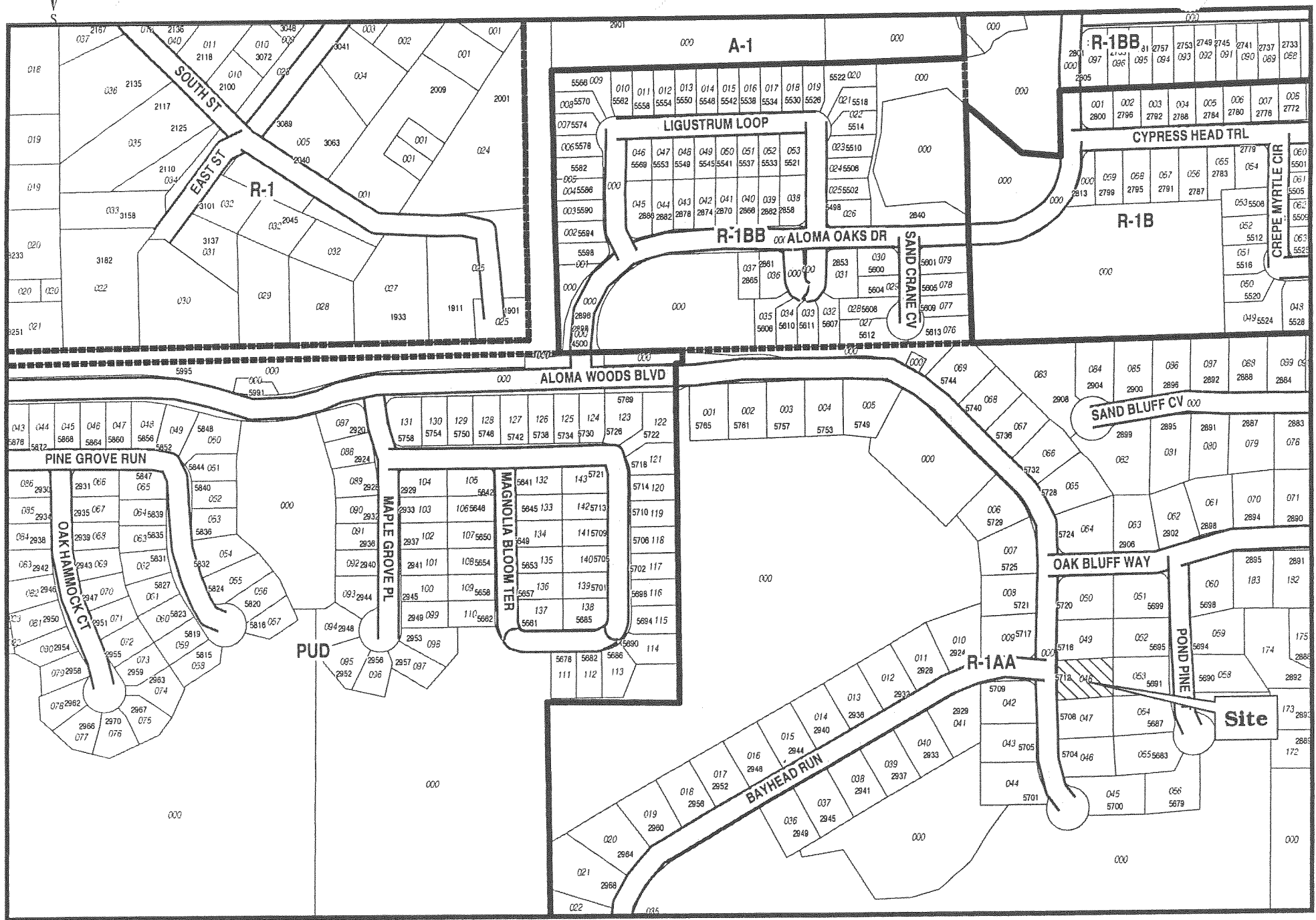
This Survey Certified To:

Personal Property Please Select Account

PARCEL DETAIL	REAL ESTATE	PERSONAL PROP	TAX ROLL	SATES SEARCH	◀ ◁ Back ▷ ▶																																													
 <p>Seminole County Property Appraiser Services 1101 E. First St. Sanford FL 32771 407-665-7506</p>																																																		
<p align="center">GENERAL</p> <p>Parcel Id: 32-21-31-505-0000-0480 Tax District: 01-TX DIST 1 - COUNTY</p> <p>Owner: LOPEZ LUIS A & Exemptions: 00-HOMESTEAD</p> <p>Own/Addr: MORALES ESTHERLING</p> <p>Address: 5712 ALOMA WOODS BLVD</p> <p>City,State,ZipCode: OVIEDO FL 32765</p> <p>Property Address: 5712 ALOMA WOODS BLVD OVIEDO 32765</p> <p>Subdivision Name: ESTATES AT ALOMA WOODS PH 1</p> <p>Dor: 01-SINGLE FAMILY</p>				<p align="center">2004 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$184,415</p> <p>Depreciated EXFT Value: \$14,208</p> <p>Land Value (Market): \$42,800</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$241,423</p> <p>Assessed Value (SOH): \$240,588</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$215,588</p>																																														
<p align="center">SALES</p> <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>09/2001</td> <td>04227</td> <td>0949</td> <td>\$268,000</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>05/1995</td> <td>02920</td> <td>1525</td> <td>\$235,000</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>12/1994</td> <td>02860</td> <td>0002</td> <td>\$44,500</td> <td>Vacant</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this Subdivision</p>				Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	09/2001	04227	0949	\$268,000	Improved	WARRANTY DEED	05/1995	02920	1525	\$235,000	Improved	WARRANTY DEED	12/1994	02860	0002	\$44,500	Vacant	<p align="center">2003 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$3,727</p> <p>2003 Tax Bill Amount: \$3,585</p> <p>Savings Due To SOH: \$142</p> <p>2003 Taxable Value: \$209,135</p> <p align="center">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																						
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<p>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																																		



5712 Aloma Woods Blvd.



Pool Enclosures
Vinyl Enclosures
Glass Enclosures
Aluminum Awnings
Solar Screens
Carports



Screen Rooms
Hurricane Storm Panels
Aluminum and Vinyl Siding
Soffit and Fascia
Replacement Windows
Mobile Home Roofovers

2-12-04

Variance Information for:

Estherling Morales
5712 Aloma Woods Blvd.
Oviedo Fl. 32765

Contact Information:
Danielle Quinones
407-675-0500

We are requesting a variance for the rear yard setback. The current requirement is 30 feet and we are requesting a setback of 17 feet. In the location where the room would be located the house sits on the setback line of 30 feet. The proposed structure would be a screen room with removable vinyl windbreak panels having a solid aluminum roof. The size of the room would be 30x12 when complete. Thank you for your time and consideration in this matter.

Sincerely,

Danielle Quinones
Superior Aluminum
Permitting



ALUMINUM ASSOCIATION AWARD OF EXCELLENCE

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On April 26, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 48 ESTATES AT ALOMA WOODS PH 1 PB 48 PGS 41 TO 43

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: ESTERLING MORALES
5712 ALOMA WOODS BOULEVARD
OVIEDO, FL 32765

Project Name: ALOMA WOODS BOULEVARD (5712)

Requested Development Approval:

REAR YARD SETBACK VARIANCE FROM 30 FT TO 17 FT FOR A PROPOSED
SCREEN ROOM ADDITION

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Earnest McDonald,
Principal Coordinator
1101 East First Street
Sanford, Florida 32771

Order**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

a) The variance granted shall apply only to the proposed screen room addition as shown on the attached site plan.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Matthew West
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2004.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: